

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:15-cv-00039-MR**

**SCOTT COLE, III,**

**Plaintiff,**

**vs.**

**WELLS FARGO BANK, N.A.,**

**Defendant.**

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**ORDER**

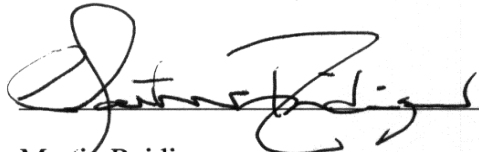
**THIS MATTER** is before the Defendant's Motion to Dismiss [Doc. 5] and the Plaintiff's Amended Complaint [Doc. 7].

The Defendant has moved to dismiss the Plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. [Doc. 5]. In response, the Plaintiff filed an Amended Complaint pursuant to Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure. [Doc. 7]. With the filing of the Amended Complaint, the Defendant's pending Motion to Dismiss is rendered moot.

**IT IS, THEREFORE, ORDERED** that the Defendant's Motion to Dismiss [Doc. 5] is **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed: April 20, 2015

  
Martin Reidinger  
United States District Judge

